

SENATE BILL 367

By Cooper

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, to create a certified nursing assistant career path program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, is amended by adding Sections 2 through 7 of this act as a new part thereto.

SECTION 2. This act shall be known and may be cited as the "Certified Nursing Assistant Career Path Act".

SECTION 3.

(a) It is the intent of this act to create a career path for nursing assistants employed by nursing homes in an effort to enhance patient care delivery and patient and family satisfaction by improving employee recruitment, training and retention.

(b) There is hereby created a certified nursing assistant career path program for nursing assistants employed by nursing homes in Tennessee. The path shall consist of a series of three (3) steps beyond the initial training and certification or registration of a nursing assistant which shall be known as certified nursing assistant I, certified nursing assistant II, and certified nursing assistant III. Participation in the program shall be

voluntary and this act shall in no way be used to mandate participation by facilities or by certified nurse aides.

SECTION 4. As used in this act, unless the context otherwise requires:

(1) "Certified nursing assistant" means an individual who has successfully completed an approved nursing assistant training program and is registered with the department;

(2) "Certified nursing assistant I" means an individual who is a certified nursing assistant with at least six (6) months of experience in a nursing home after being registered with the department and who has successfully completed the standardized training program for a certified nursing assistant I as described in Section 5 of this act;

(3) "Certified nursing assistant II" means an individual who has first become a certified nursing assistant I and then has successfully completed the standardized training program for a certified nursing assistant II as described in Section 5 of this act;

(4) "Certified Nursing Assistant III" means an individual who has successfully completed the standardized training programs for a certified nursing assistant I and a certified nursing assistant II and then successfully completes the certified nursing assistant III training program described in Section 5 of this act;

(5) "Department" means the department of health;

(6) "Nursing home" means a facility defined and licensed as a nursing home under Section 68-11-201 et seq.; and

(7) "Qualified training site" means a public high school, a state technical school (vocation technical school), or a state community college.

SECTION 5.

(a) The certified nursing assistant career path has three (3) steps. An individual may not begin step one, which is certified nursing assistant I training, until such individual has successfully completed a department approved nursing assistant training

program, are registered with the department and has six (6) months experience in a nursing home following state registration. Participation in a training program for each succeeding step must be separated by at least six (6) months.

(b) Classroom training in the certified nursing assistant I, certified nursing assistant II, and certified nursing assistant III steps must be conducted in a qualified training site. Training for each step shall consist of thirty (30) hours of classroom training and thirty (30) hours of clinical training. Clinical training may be performed in either a nursing home or a training laboratory setting. A standardized curriculum and test for each step shall be developed and utilized by all qualified training sites. The standardized curriculum and test shall be developed by a representative of the department of education, a representative of vocational education institutions, a representative of the Tennessee board of nursing familiar with nursing training, and three (3) representatives of the Tennessee health care association. The training curriculum shall be designed to facilitate the maximum provision of services by a certified nursing assistant without violating the practice acts of licensed health professionals.

(c) Training for the certified nursing assistant I step shall include enhanced training in the areas of skin care, nutritional status, hydration status, communication, fall prevention, restraint reduction, conflict resolution and interpersonal relations, and mathematical skills as related to a certified nursing assistant's responsibilities.

(d) Training for the certified nursing assistant II step shall include advanced study in one (1) of two (2) training tracks:

(1) Behavioral care. Studies shall focus on the extra requirements of care delivery for patients with dementia, Alzheimer's, or mental illness; coping with stressful situations and patients with behavioral problems; understanding the signs of behavioral problems; and the communication of information about behavioral problems to nursing supervisors; or

(2) Advanced restorative care. Studies shall include ambulation, range of motion, alignment, bowel and bladder training, transferring and feeding methods.

(e) Training for the certified nursing assistant III step shall include advanced study in one (1) of two (2) tracks:

(1) Leadership. Study shall include team-building skills, supervision of peers, advanced communication skills, organizational skills and leading certified nursing assistant service delivery; or

(2) Advanced certified nursing assistant clinical. This study emphasizes enhanced assistance to patients with special needs or complex needs such as stroke patients, cardiac and post surgery patients, and skilled care patients.

(f) Training curriculum, both clinical and classroom, shall be designed to provide, where feasible, appropriate background and skills to assist an individual in progressing beyond the certified nursing assistant III level, in particular for education as a licensed practical nurse.

SECTION 6. An individual shall receive a financial payment of five hundred dollars (\$500) upon successful completion of each step of the certified nursing assistant career path. This payment amount may be increased annually by the commissioner of finance and administration based on the availability of funds. This payment shall be made by the nursing home to the individual upon completion of each step. The payment may be made in installments over a period not to exceed ninety (90) days. Upon completion of the payment by the nursing home, the nursing home shall submit a claim for reimbursement for the nursing home's cost of the payment and the nursing home's cost of the individual's training at a qualified training site, to the state. The state shall pay the claim within thirty (30) days.

SECTION 7. Upon successful completion of each step the individual shall receive a certificate from the qualified training site indicating the individual's name, step completed, the qualified training site location and address and the date of completion. The qualified training site

shall provide a copy of the information to the nursing home where the individual works. Each site shall maintain sufficient information on each individual that completed level I, II and III training so as to verify the individual's completion upon inquiry from other nursing homes or the department.

SECTION 8. This act shall take effect July 1, 2001 the public welfare requiring it.